

FACSIMILE COVER SHEET

RECEIVED
CENTRAL FAX CENTER

AUG 18 2006

Licata & Tyrrell P.C.66 E. Main Street
Marlton, New Jersey

Tel: (856) 810-1515

Fax: (856) 810-1454

August 18, 2006

TO: Examiner Borgeest**GROUP: 1649****FAX NUMBER: 571-273-8300****ATTORNEY DOCKET NO.: PTQ-0027****SERIAL NO.: 09/115,589****FILED: July 15, 1998****NUMBER OF PAGES: 22****MESSAGE:** Attached please find Amendment Transmittal Letter; Reply under 37 C.F.R. 1.116 mailed June 19, 2006; and Certificate of Transmission by Facsimile.**Kathleen A. Tyrrell, Registration No. 38,350****URGENT! PLEASE DELIVER IMMEDIATELY UPON RECEIPT. THANK YOU!**

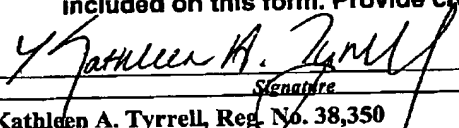
* * * * *

If you have any questions, or did not receive the proper number of pages, or had trouble during transmission, please call 856-810-1515.

CONFIDENTIALITY NOTICE

The information contained in this facsimile message is legally privileged and confidential, and intended only for the use of the individual(s) and/or entity(ies) named above. If you are not the intended recipient, you are hereby notified that any unauthorized disclosure, copying distribution or taking of any action in reliance on the contents of the telecopied materials is strictly prohibited and review by any individual other than the intended recipient shall not constitute waiver of the attorney client privilege. If you have received this transmission in error, please immediately notify us by telephone in order to arrange for the return of the materials. Thank you.

AUG 18 2006

AMENDMENT TRANSMITTAL LETTER (Small Entity)					Docket No. PTQ-0027	
Applicant(s): Van Eyk et al.						
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.	
09/115,589	July 15, 1998	Borgeest, Christina M.	26259	1649	1553	
Invention: Methods of Diagnosing Muscle Damage						
COMMISSIONER FOR PATENTS:						
Transmitted herewith is an amendment in the above-identified application.						
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27						
The fee has been calculated and is transmitted as shown below.						
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	17 -	42 =	0	x \$25.00	\$0.00	
INDEP. CLAIMS	2 -	4 =	0	x \$100.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00	
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1619 <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
 Kathleen A. Tyrrell, Reg. No. 38,350			Dated: August 18, 2006 I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ (Date) _____ Signature of Person Mailing Correspondence _____ Typed or Printed Name of Person Mailing Correspondence			
CC:						

P11SMALL/REV10

RESPONSE UNDER 37 C.F.R. 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1649

RECEIVED
CENTRAL FAX CENTER
AUG 18 2006

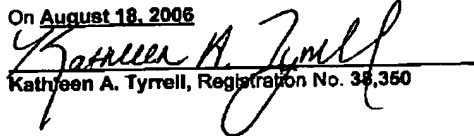
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: PTQ-0027
Inventors: Van Eyk et al.
Serial No.: 09/115,589
Filing Date: July 15, 1998
Examiner: Borgeest, Christina M.
Customer No.: 26259
Group Art Unit: 1649
Confirmation No.: 1553
Title: Methods of Diagnosing Muscle Damage

Certificate of Facsimile Transmission

I hereby certify that this document is being facsimile
transmitted to the Patent and Trademark Office on
the date shown below.

On August 18, 2006


Kathleen A. Tyrrell, Registration No. 38,350

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Reply under 37 C.F.R. 1.116

This is a reply to the Final Rejection mailed June 19,
2006 setting a three (3) month statutory period for
response. Please enter the following amendments and remarks
into the record.

Attorney Docket No.: PTQ-0027
Inventors: Van Eyk et al.
Serial No.: 09/115,589
Filing Date: July 15, 1998
Page 2

Amendments to the Specification begin at page 3.

Amendments to the claims are reflected in the listing
of claims which begins on page 5 of this paper.

Remarks/Arguments begin on page 13.